



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 09-2237
Released: October 16, 2009

**COMMENTS INVITED ON APPLICATION OF SOUTHWESTERN BELL
TELEPHONE COMPANY D/B/A AT&T SOUTHWEST TO DISCONTINUE DOMESTIC
TELECOMMUNICATIONS SERVICES**

WC Docket No. 09-185
Comp. Pol. File No. 916

Comments Due: November 16, 2009

Section 214 Application

Applicant: Southwestern Bell Telephone Company d/b/a AT&T Southwest

On September 28, 2009, Southwestern Bell Telephone Company d/b/a AT&T Southwest (AT&T or Applicant), located at 23500 Northwestern Hwy, Bldg A, Southfield, MI 48075, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic telecommunications services in Arkansas, Kansas, Missouri, Oklahoma, and Texas.

AT&T indicates that it currently offers Self-healing Transport Network Service (STN) at volume options 36 and 48 in Arkansas, Kansas, Missouri, Oklahoma, and Texas (collectively Service Areas). AT&T explains that STN provides dedicated digital transport service from two or more customer specified access nodes over AT&T's shared infrastructure. AT&T further explains that STN provides premises-to-premises arrangements or premises-to-hub arrangements for interconnection to other AT&T Southwest Access Services with transmission speeds of 1.544 Mbps or greater. AT&T states that STNs are typically constructed in a ring configuration which provides redundant transmission over separate physical facilities. AT&T asserts, however, that due to market forces, AT&T's STN service at volume options 36 and 48 has reached the end of its product life cycle and has been superseded in the market by AT&T's SONET Dedicated Ring Service (DSRS) which offers more robust feature alternatives than STN and is provided at lower rates. Accordingly, AT&T indicates that it now intends to streamline its product portfolio and discontinue STN in the Service Areas. Specifically, AT&T states that on or after December 15, 2009, subject to Commission authorization, AT&T plans to discontinue offering STN service to new customers. AT&T maintains that it will continue to provide STN to existing customers until their contract expires or they are migrated to another service offering. AT&T maintains that the public convenience and necessity will not be impaired by this proposed discontinuance because AT&T offers alternative service arrangements that provide more robust feature alternatives at lower rates. AT&T indicates that it sent notice of the proposed discontinuance to all affected customers via U.S. Mail on September 25, 2009. AT&T states that it is considered dominant with respect to the affected service.

In accordance with section 63.71(c) of the Commission's rules, AT&T's application will be deemed to be granted automatically on the 60th day after the release date of this public notice, unless the

Commission notifies AT&T that the grant will not be automatically effective. In AT&T's application, AT&T indicates that it anticipates discontinuing service on or after December 15, 2009, subject to Commission authorization. Accordingly, pursuant to section 63.71(c) and the terms of AT&T's application, absent further Commission action, AT&T may terminate its Self-healing Transport Network Service in the Service Areas on or after **December 15, 2009** consistent with its filed representations. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **November 16, 2009**. Such comments should refer to **WC Docket No. 09-185 and Comp. Pol. File No. 916**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. People with Disabilities: To request materials in accessible formats for people

with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 (voice), rodney.mcdonald@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The tty number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

– FCC –